



Gp/2834

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Hiroyasu Fujinaka : Art Unit: 2834
Serial No.: 09/607,103 : Examiner: T. Lam
Filed: June 29, 2000 :
FOR: MOTOR CORE AND MOTOR :
USING THE SAME :

#12/ELECTION
Shaun
10/9/02
RECEIVED
OCT - 9 2002
TECHNOLOGY CENTER 2800

RESPONSE TO RESTRICTION REQUIREMENT AND
REQUEST FOR RECONSIDERATION

Assistant Commissioner for Patents
Washington, D.C. 20231
S I R :

In the election requirement dated September 5, 2002, it was indicated that the application contains claims directed to twenty-four (24) patentably distinct species.

In response, Applicant elects for further prosecution the claims corresponding to Species A. At present Applicant believes that claims 1 and 42 correspond to Species A. This election is made with traverse.

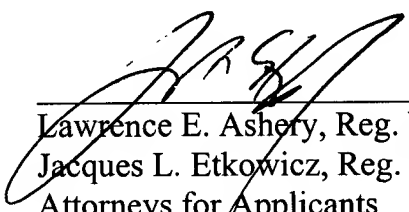
Applicant respectfully submits that there is an error in the Restriction Requirement. Specifically, the Examiner matched only some of the figures and embodiments to the listed Species A-Y while other figures are omitted from the Requirement. Further, it appears that the Examiner did not consider the common point of novelty between the various claims as set forth in Applicant's Response filed on May 1, 2002. As such, the Restriction Requirement is erroneous and should either be withdrawn or restructured as set forth below.

Furthermore, if an Election/Restriction is deemed proper, Applicant respectfully asserts that it would be appropriate to designate the claims, if at all, as corresponding to two groups, namely Group I (Figs. 1-40 and 44-50) and Group II (Figs. 41-43). Claim 1 is a generic claim corresponding to the core and claim 42 is a generic claim corresponding to the motor. Claim 16 is generic to claims 2 and 15. Claim 45 is generic to claims 43 and 44.

Notwithstanding the above, and as readily acknowledged by the Examiner, claims 1 and 42 are generic. Specifically, claim 1 is generic to claims 16, 17, and 35 and claim 42 is generic to claims 45, 46, and 48. Claims 2 and 15 are generic to claim 16 while claims 43 and 44 are generic to claim 45.

Thus, while claims 1 and 42 are readable on Species A, Applicants respectfully assert that, if the application is subject to Election/Restriction, a Species corresponding to Figs. 1-40 and 44-50 should have appeared in the election requirement and that Applicants would have elected claims 1, 2, 15, 16, 17, 35, 42, 45, 43, 44, 46, and 48 if given the opportunity to make such an election.

Respectfully Submitted,



Lawrence E. Ashery, Reg. No. 34,515
Jacques L. Etkowicz, Reg. No. 41,738
Attorneys for Applicants

JLE/lm/fp

Dated: September 26, 2002

Suite 301, One Westlakes, Berwyn
P.O. Box 980
Valley Forge, PA 19482
(610) 407-0700

The Assistant Commissioner for Patents is hereby authorized to charge payment to Deposit Account No. 18-0350 of any fees associated with this communication.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on:

September 30, 2002